

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Blue Spike, LLC,

Plaintiff,

V.

TEXAS INSTRUMENTS, INC., et al.,

Defendants.

**ORDER DENYING DEFENDANT AOPTIX TECHNOLOGIES, INC.'S MOTION TO DISMISS
THE FIRST AMENDED COMPLAINT [DKT. 968]**

On this day came for consideration Defendant AOptix Technologies, Inc.'s Motion to Dismiss the First Amended Complaint for Failure to State a Claim on Which Relief Can Be Granted Under FED. R. CIV. P. 12(b)(6). Having considered AOptix Technologies, Inc.'s motion and supporting papers and Blue Spike's opposition and supporting papers, the Court is of the opinion that said motion should be DENIED.

IT IS HEREBY ORDERED that AOptix Technologies, Inc.'s Motion to Dismiss is hereby denied on the grounds that Blue Spike has adequately pleaded its claims for induced infringement, contributory infringement, and willful infringement.

IT IS SO ORDERED.